

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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January 30, 1997 LB 77, 108

LB 77.

PRESIDENT ROBAK: LB 77 advances. LB 108.

CLERK: LB 108 introduced by Senator Kristensen. (Read title.) The bill was introduced on January 9, referred to the Judiciary Committee, advanced to General File. I have no amendments to the bill.

PRESIDENT ROBAK: The Chair recognizes Senator Kristensen to open on the bill.

SENATOR KRISTENSEN: Thank you, Madam President, members of the Legislature. LB 108 can best be described as a clean-up bill for the creation of the Commission on Public Advocacy, which this Legislature saw fit to create, and it is in its first year of actual operation. It has not completed its first year of operation. Just as a matter of fact, I want to remind the body of what it does. The Commission on Public Advocacy is a group of individuals who are stationed here at the Capitol in Lincoln, and their job is to go out and assist counties in serious felonies and capital litigation cases. They are a group that is primarily an expert group in capital litigation. They are designed to go out and assist counties who can't handle those on their own. They are designed to also relieve the financial burden and it is done this way, they are assigned to a case. Because they have a limited staff, they obviously can't go out to every case. They are assigned to that case. They keep track of the amount of time, effort, the expenditures that they put forth. At the end of the case, they then come back, certify to the judge the amount of cost, and the county picks up one-third of that, the state pays for the rest of it. So what it does is it, in effect, allows for the state to take over the cost of defense of some of these capital cases, most of them, well, 99 percent of them all include indigent defense. So the county, otherwise, would have to pay the entire bill. This way they only pay one-third of the bill. They have better people representing them. It saves on appeals. We don't have as many appeal problems, and this works well, and the concept has been good. I don't see Senator Vrtiska, but I'd hoped that he'd be here this morning to talk about what that's done for his county because it has really been of great assistance to Richardson